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**To:** Examiner Evanisko  
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**Date:** March 4, 2004

**Pages including this  
cover page:** 3

**Comments:**

**Applicants:** Brian B. Lee et al.  
**SN:** 09/975,621  
**Filed:** October 10, 2001  
**For:** MEDICAL DEVICE ECG MARKER FOR USE IN  
COMPRESSED DATA STREAM  
**DOCKET:** P-8779.01  
**Group Art Unit:** 3762

☒ Request for Continued Examination (RCE) Transmittal

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MEDTRONIC LAW DEPT

NO. 9890 P. 2/3

DOCKET NO.: P-8779.01

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**RCE TRANSMITTAL**

In re Application of: Brian B. Lee et al.

For: MEDICAL DEVICE ECG MARKER FOR USE IN COMPRESSED DATA STREAM

Serial No.: 09/975,621

Filed: October 10, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Transmittal and the paper(s), as described herein are being sent via facsimile No. (703) 872-9308, addressed to the Commissioner for Patents, Mail Stop RCE, on this 4<sup>th</sup> day of March, 2004.

Molly Chlebeck  
Signature

MOLLY CHLEBECK  
Printed Name

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

X Request for RCE Transmittal  
X Return Postcard

X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

4 March '04

Paul H. McDowall  
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**Request  
FOR  
Continued Examination (RCE)  
TRANSMITTAL**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of an utility or plant  
application

Filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/975,621
Filing Date	October 10, 2001
First Named Inventor	Brian B. Lee et al.
Group Art Unit	3762
Examiner Name	G. Evanisko
Attorney Docket Number	P8779.01

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114****a. ☒ Previously submitted**i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on January 19, 2004  
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_iii. ☐ Other \_\_\_\_\_**b. ☐ Enclosed**i. ☐ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other \_\_\_\_\_**2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)b. ☐ Other \_\_\_\_\_**3. Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2546i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☐ Other \_\_\_\_\_b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) Paul H. McDowell Registration No. 34,873

Signature *Paul H. McDowell* Date *4 March 04***CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Molly Chlebeck

Signature *Molly Chlebeck* Date *March 4, 2004*

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